



VARIANCE, CONDITIONAL USE, & AMENDMENT REQUEST APPLICATION

**Building & Code Enforcement Department
295 North Harrison Avenue
Kankakee, IL 60901
P: 815-436-9485**

Application Form (For Applicant/Agent To Complete):

**** Please read all instructions (page 4-6) prior to completing this application ****

Subject Property Information:

Address:	Zoning District:
Legal Description(can attach separate sheet):	Ten-Digit Tax Parcel Identification Number(s):

Applicant/Agent Information:

Name:	Phone:
Address:	Email:

Owner Information:

Name:	Phone:
Address:	Email:

Note: Attach letter or affidavit from property owner if different from applicant/agent

Required Information for Variance Only:

What specific variations are you requesting? For each variation, indicate:

- (A)*** the specific section of the Zoning Ordinance that identifies the requirement,
- (B)*** the requirement (minimum or maximum) from which you seek relief, and
- (C)*** the amount of the exception to this requirement you request the City to grant.
- (D)*** the reason for the requested variance

Section:
(ex. "7.03,F.,(2)")

Requirement to be Varied:

(Ex. "requires a minimum front yard setback of 30 ft")

Requested Variation:

(Ex. "a front yard setback of 28 ft")

Reason for requested variance:

Aerial Map, Plat of Survey, - AND/OR - Site Plan Attached: ☐ Yes ☐ No

Required Information for Re-Zoning Only:

Current zoning classification:**Proposed zoning classification:****Reason for requested re-zoning:**

Aerial Map, Plat of Survey, - AND/OR - Site Plan Attached: ☐ Yes ☐ No

Required Information for Conditional Use Permit Only:

Conditional Use Permit requested:**Reason for requested permit:**

List of all principal and/or accessory uses, currently existing on the subject property (map optional):

Aerial Map, Plat of Survey, - AND/OR - Site Plan Attached: ☐ **Yes** ☐ **No**

For All Requests:

Proposed use of property:

Existing uses or trend of development of property in the general area:

Additional information or comments (optional):

Printed Name:

Date:

I hereby certify that I am, or represent, the legal owner of the property described above and do hereby submit this request to the Planning Board of the City of Kankakee, Illinois for consideration.

Signature:



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Instructions:

1. Application Procedure:

The applicant requesting a variance, conditional use permit or zoning map amendment (re-zoning) shall submit all items required by this application in a completed format and with original signatures.

The Following Items Must Be Submitted With Application:

- ☐ (This) Completed and Signed Application Form
- ☐ Ownership Letter (if needed)
- ☐ Aerial Map, Plat of Survey, - AND/OR - Site Plan (required to submit at least one)
- ☐ Site photo of posted sign, newspaper publisher's certificate and certified mail receipts
(can be submitted up to 24 hours prior to public hearing)
- ☐ Application Fee
- ☐ Policy For Reimbursement of Costs and Professional Fees Form
(required for commercial or industrial PUDs, conditional use permit, and/or map amendment)

2. Fees:

Every application shall be accompanied by a filing fee, as follows:

Type of Application	Zoning Classification	
	Residential	Commercial/Industrial
Variance	(Minor) \$100 (Major) \$200	\$500
Amendment	\$200	\$600 *
Conditional Use Permit	(R1) \$200 (R2/R3) \$400	(1-acre or less) \$300 * (over 1-acre) \$600 *

*If an applicant is submitting a request for a commercial or industrial planned unit development, conditional use permit, and/or map amendment, they agree to pay to the City of Kankakee, by reimbursement, the reasonable fees incurred by the City for such services (i.e. engineering, planning, legal, court reporting, and other professional consultants) pertaining to the request for a commercial or industrial planned unit development, conditional use permit, and/or map amendment. All invoices for such services shall be paid promptly when submitted, but not later than thirty (30) days, and that the obligation to reimburse the City is binding whether or not the proposal is in fact approved.

3. **Public Notification Procedure:** *(Please Read This Section Carefully)*

All notices, signs, newspaper publication must occur **no earlier than 20 days and no later than 10 days prior to the public hearing date**, per the City's ordinance. If notifications are not completed within this period, the public hearing for your case will need to be continued (pushed back to the next Planning Board Meeting, typically one month later).

A case number, which will be assigned by the Planning Director, should be provided on all notices. The Planning Director can assist with drafting the notice and sign, and pulling the list of properties that should be notified. If the applicant chooses to do these steps on their own, applicants should get approval from the Planning Director in advance of mailing, publishing, and posting the public hearing notice to ensure notifications are done correctly. This will help save the applicant money and time by doing it correctly the first time.

The applicant is responsible for all payments associated with such notices.

Public notification includes the following:

☐ **Published Legal Notice** – Publish the Public Hearing Notice Letter in the newspaper

- Newspaper contact: *The Daily Journal, Classifieds Dept. -- 815-802-3891*

Do this step first – the Newspaper needs the request submitted before 1pm the day before publication (T-TH), and before 10am on Thursday for the Saturday and Monday papers. There is no paper on Fridays.

☐ **Written Notification of Property Owners** – Mail the Public Hearing Notice to surrounding properties

- Surrounding Properties include:
 - All lots **abutting the property lines** of the lot(s) for which the **Variance** is requested; or,
 - All lots **lying within two-hundred (200) feet of the property lines** of the lot(s) for which the **Conditional Use Permit** or **Rezoning** is requested.
- Must be done by **certified mail** through USPS

☐ **Posted Public Notice** — Post the Public Hearing Notice Sign on the property

- If your property is less than 12,000 sq. ft., your sign should be 11" x 17" OR if your property is 12,000+ sq. ft., the sign should be 24" x 36".
- The sign should be a readable sign, with either a red background and white lettering or a yellow background and black lettering. Sign should be constructed of weatherproof material.
- Signs should be installed on the property and should be visible from the sidewalk and street.

Proof of Compliance: The applicant must submit evidence documenting full compliance with all public notification requirements to the Planning Director, not less than 24-hours prior to the scheduled public hearing. Said evidence shall include: a photo of the posted sign, newspaper publisher's certificate or receipt, and certified mail receipts (green slips).

4. Public Hearing Procedure:

Upon submission of all required documents, the City Planner will schedule the applicant's request for a public hearing before the Planning Board. The purpose of the public hearing is to provide an opportunity to obtain citizen input on the applicant's request. At the public hearing, the applicant, all proponents, and all opponents will be given an opportunity to speak concerning the request. After completion of the public hearing, the Planning Board shall:

- A. Render a final administrative decision regarding the request for a **Variance**. All decisions made by the Planning Board in granting a variance shall be valid for a period of one year from the effective date of the Board's decision; or
- B. Forward it's recommendation to either grant or deny the requested **Conditional Use Permit or Re-zoning** to the City Council for final consideration.

5. City Council Action on Application:

No **Conditional Use Permit or Re-zoning** shall become effective until approved by an ordinance passed by the City Council. If the City Council denies the request, no application for a **Conditional Use Permit or Re-zoning** of the subject property to the same classification as originally requested, shall be considered within one year from the date of the Council's denial.

Application FAQs:

➤ **Who can submit an application?**

The applicant must either own, lease, or have a legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application.

➤ **Who should I contact if I have questions about the application?**

All questions should be directed to the Office of the City Planner, 815-436-9485.

➤ **How do I submit an application?**

Applications must be submitted either in person to the Office of the City Planner, City of Kankakee, 200 E. Court St., Suite 410, or via email directly to the Planning Director (must include a copy of the paid receipt for filing fee): MHoffman@TeskaAssociates.com. All applications must be complete and must include all required documentation.

➤ **Where do I pay my filing fee?**

Filing fees can be paid at either the City of Kankakee Collection's Department, 304 S. Indiana Avenue. If applicable, a copy of the paid receipt shall be submitted with the application as proof of payment.

----- ***EXAMPLE ONLY*** -----

This example is included to help you fill out your own notice. Template provided on following page.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Planning Board of the City of Kankakee on Tuesday evening, **January 15th, 2021**, at 7:00 PM in the City Council Chambers, located in the Donald E. Green Public Safety Building, 385 E. Oak Street, Kankakee, Illinois 60901 or televised here: <https://citykankakeeil.gov/chambervideo.php>.

The purpose of the Public Hearing is to consider a request for a **Conditional Use Permit** to allow for **the operation of a Health, Exercise & Physical Fitness Club on property zoned C-1 Neighborhood Commercial**. The subject property, **123 South Main Street**, Kankakee, Illinois, is located near the intersection of **South Main Street** and **West Park Street**, on the **west** side of **South Main Street**. The property has a property tax ID number of **#16-09-22-111-111** and is legally described as: **LTS 1-5 BLK 24 & VAC ROW 05-30-13W**.

The above application (case number **PB2021-1-5**) is open to inspection in the office of the Planning Department, 850 N. Hobbie Avenue, Kankakee, Illinois 60901. Written comments or testimony may be presented at hearing or may be emailed to publiccomment@citykankakee-il.gov prior to the hearing.

For more information, call 815.436.9485 or e-mail Mike Hoffman, Planning Director at MHoffman@TeskaAssociates.com

John Doe, Applicant

----- ***EXAMPLE ONLY*** -----

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Planning Board of the City of Kankakee on Tuesday evening, _____, _____, at 7:00 PM in the City Council Chambers, located in the Donald E. Green Public Safety Building, 385 E. Oak Street, Kankakee, Illinois 60901 or televised here: <https://citykankakeeil.gov/chambervideo.php>.

The purpose of the Public Hearing is to consider a request for a _____ to allow for _____.

The subject property, _____, Kankakee, Illinois, is located near the intersection of _____ and _____, on the _____ side of _____. The property has a property tax ID number of _____ and is legally described as: _____.

The above application (case number _____) is open to inspection in the office of the Planning Department, 200 East Court Street, Kankakee, Illinois 60901. Written comments or testimony may be presented at hearing or may be emailed to publiccomment@citykankakee-il.gov prior to the hearing.

For more information, call 815.436.9485 or email Mike Hoffman, Planning Director at MHoffman@TeskaAssociates.com



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POLICY FOR REIMBURSEMENT OF COSTS AND PROFESSIONAL FEES

The following firm, representative, agent or individual does hereby state that it understands that in order for the City of Kankakee to properly review and evaluate requests for a commercial or industrial planned unit development, conditional use permit, and/or map amendment it must necessarily utilize and engage the services of engineering, planning, legal, court reporting and other professional consultants. The Undersigned hereby agrees to pay to the City of Kankakee, by reimbursement, the reasonable fees incurred by the City for such services pertaining to the request of the Undersigned for a commercial or industrial planned unit development, conditional use permit, and/or substantive or map amendment. It is further understood and agreed that all invoices for such services shall be paid promptly when submitted, but not later than thirty (30) days, and that the obligation to reimburse the City is binding whether or not a planned unit development, conditional use permit, and/or substantive or map amendment is in fact approved.

(PLEASE PRINT)

DATE: _____

APPLICANT NAME: _____

FIRM NAME: _____

BILLING REFUND ADDRESS: _____

PHONE: _____

PROJECT: _____

PROJECT ADDRESS: _____

APPLICANT SIGNATURE: _____